

CHAPTER 29. ISSUE A U.S. PILOT CERTIFICATE ON THE BASIS OF A FOREIGN-PILOT LICENSE

SECTION 1. BACKGROUND

1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODE: 1533

2. OBJECTIVE.

A. The objective of this task is to determine if an applicant is eligible for a U.S. pilot certificate and/or rating based on their foreign-pilot license. Completion of this task will result in either the issuance, non-issuance, or denial of a U.S. pilot certificate and/or rating.

(1) The issuance of a U.S. pilot certificate and/or rating on the basis of a foreign-pilot license would mean the applicant has met the appropriate eligibility requirements of Title 14 of the Code of Federal Regulations (14 CFR) part 61 and the provisions set forth in this chapter.

(2) The non-issuance would mean the applicant has not met the appropriate eligibility requirements of part 61 and the provisions set forth in this chapter; therefore, the applicant would be disqualified from receiving a U.S. pilot certificate and/or rating on the basis of a foreign-pilot license.

(3) The denial of a U.S. pilot certificate and/or rating would mean the applicant did not meet the appropriate eligibility requirements of part 61 and the provisions set forth in this chapter; therefore, the applicant would be issued FAA Form 8060-5, Notice of Disapproval of Application.

B. Since the terrorist attacks on the United States on September 11, 2001, the FAA is more closely scrutinizing persons who are applying for a U.S. pilot certificate/rating and those who hold a U.S. pilot certificate/rating. However, the FAA has always had a regulatory basis for denying certification to foreign applicants, as per § 61.13(a)(2), which states, in part, a person "...who is neither a citizen of the United States nor a resident alien of the United States-- (ii) May be refused issuance of any U.S. airman certificate, rating, or authorization..." Additionally, per Title 49 of the United States Code (49 U.S.C.) § 44709(b), "The Administrator may issue an order amending,

modifying, suspending, or revoking-- (1) any part of a certificate issued under this chapter if--(A) the Administrator decides after conducting a reinspection, reexamination, or other investigation that safety in air commerce or air transportation and the public interest require that action." The key language in 49 U.S.C. § 44709(b)(1)(A) is "...other investigation that safety in air commerce or air transportation and the public interest require that action." This gives the FAA the right to initiate an action to suspend or revoke an airman certificate when the FAA believes that "...safety in air commerce or air transportation and the public interest require that action."

3. GENERAL.

A. *General Process.* Title 14 CFR part 61 § 61.75 allows a person to be issued a U.S. pilot certificate with private pilot privileges on the basis of a foreign-pilot license that is at least equivalent to or higher than the U.S. private pilot certification level. The foreign-pilot license must have been issued by a foreign Civil Aviation Authority (CAA) that is a member state of the International Civil Aviation Organization (ICAO), and the foreign pilot license must be valid. The holder of a valid foreign-pilot license issued by an ICAO member state may use that foreign-pilot license as the basis for issuance of a U.S. pilot certificate even if the issuing country is now defunct (e.g., The Russian Federation). A list of ICAO member states is found in Figure 29-1. Because of the changing world political situation and previously established country boundaries, a country may be an ICAO member but not included on the list provided in Figure 29-1. The most current listing of ICAO member states may be found at: <http://www.icao.int/icao/en/members.htm>. If there is a question about a country's membership in ICAO, you may contact the Certification Branch, AFS-840, in the General Aviation and Commercial Division at (202) 267-8196 for clarification.

B. *Applicability.* This chapter applies to the issuance of U.S. pilot certificates and ratings to

persons who apply on the basis of their foreign-pilot licenses under the following rules within part 61:

(1) Under § 61.39(c)(1), for persons who hold a foreign-pilot license (issued by an ICAO member state which authorizes at least the pilot privileges of the U.S. pilot certificate sought) and apply for an equivalent U.S. pilot certificate.

(2) Under § 61.75, for persons who apply for a § 61.75 private pilot certificate on the basis of holding a foreign-pilot license (at least equivalent to or higher than the U.S. private pilot certification level) issued by an ICAO member state.

(3) Under § 61.75(c), for persons who apply for the addition of an aircraft rating to a § 61.75 pilot certificate with the notation “U.S. TEST PASSED.”

(4) Under § 61.75(d), for persons who apply for an instrument rating to a § 61.75 pilot certificate by accomplishing the Instrument-Foreign Pilot knowledge test.

(5) Under § 61.65, for persons who apply for an instrument rating on a § 61.75 pilot certificate with the notation “U.S. TEST PASSED.”

(6) Under § 61.123(h), for persons who apply for an unrestricted U.S. commercial pilot certificate on the basis of holding a § 61.75 pilot certificate.

(7) Under § 61.153(d)(3), for persons who hold either a foreign airline transport pilot license with the appropriate aircraft rating or a foreign commercial pilot license and instrument rating with the appropriate aircraft rating, without limitations, who apply for a U.S. airline transport pilot certificate.

(8) Under § 61.29, for persons who request replacement of a certificate issued on the basis of a foreign-pilot license under § 61.75.

C. English Language Requirements. Early in the process of issuing a private pilot certificate on the basis of a foreign-pilot license, the FAA aviation safety inspector (ASI) (Operations) or an FAA Aviation Safety Technician (AST) must determine whether the applicant can read, speak, write, and understand the English language. Advisory Circular (AC) 60-28, English Language Skill Standards Required by 14 CFR Parts 61, 63, and 65, explains how to determine English language abilities required for pilot certification.

(1) If the applicant cannot read, speak, write, or understand the English language for reasons other than a medical disability, then the FAA ASI (Operations) or AST may not issue the U.S. pilot certificate.

(2) If the applicant is not able to read, speak, write, or understand the English language because of a medical disability (meaning a hearing or speech impairment that is medically substantiated by a certified medical physician), the FAA ASI (Operations) or AST may place an operating limitation on the private pilot certificate. The operating limitation requires the person to be accompanied by another pilot who is qualified to serve as a pilot-in-command (PIC) for the appropriate aircraft category, class, type (if class and type of aircraft is applicable), and operating privilege.

D. Obtaining a U.S. Pilot Certificate. A person may apply for a U.S. pilot certificate and associated ratings on the basis of their foreign-pilot license by one of the following methods:

(1) Under § 61.39(c)(1), for persons who hold a foreign-pilot license (issued by an ICAO member state which authorizes at least the pilot privileges of the U.S. pilot certificate sought) and apply for an equivalent U.S. pilot certificate. Section 61.39(c)(1) permits a person who holds a foreign-pilot license (issued by an ICAO member state which authorizes at least the pilot privileges of the U.S. pilot certificate sought) to apply for an equivalent U.S. pilot certificate by having accomplished the required aeronautical experience, passed the appropriate knowledge test, and passed the appropriate practical test.

(2) Under § 61.75, for persons who apply for a § 61.75 private pilot certificate on the basis of holding a foreign-pilot license, at least equivalent to the U.S. private pilot certificate or higher pilot certification level, issued by an ICAO member state. Section 61.75 permits a person who holds a foreign-pilot license at least equivalent to or higher than the U.S. private pilot certification level and issued by an ICAO member state to apply for a private pilot certificate by complying with the application and certification procedures contained in this chapter. A person may be issued a § 61.75 private pilot certificate based on a foreign-pilot license as follows:

(a) With no instrument privileges, for which neither a knowledge nor a practical test is required.

(b) With instrument privileges, provided the applicant has passed the INSTRUMENT-FOREIGN

PILOT KNOWLEDGE TEST and the applicant's foreign-pilot license has the equivalent Instrument-[Aircraft] rating. The applicant is required to pass the Instrument-Foreign Pilot knowledge test versus the Instrument-[Aircraft: Airplane, Helicopter, or Powered lift, as appropriate] knowledge test because the Instrument-Foreign Pilot knowledge test's focus on 14 CFR part 91, subpart B that relates to instrument flight rules (IFR)/operational procedures tests the applicant's knowledge on operating safely in the National Airspace System.

(c) With a standard instrument rating, provided the applicant has passed the Instrument-[Aircraft: Airplane, Helicopter, or Powered lift, as appropriate] knowledge test and practical test. The U.S. pilot certificate will be issued with the notation "U.S. TEST PASSED."

(3) A person may obtain a U.S. pilot certificate without relying on their foreign-pilot license by accomplishing the required training, instructor endorsements, aeronautical experience, passing the appropriate knowledge test, and passing the appropriate practical test as required by the pilot certification requirements contained in 14 CFR part 61. However, if a person other than a student already holds a standard U.S. pilot certificate, that person may not apply for a U.S. pilot certificate on the basis of a foreign-pilot license (see 14 CFR § 61.75(b)(3)).

NOTE: A person who applies for a U.S. pilot certificate by accomplishing the appropriate pilot certification requirements of part 61 and also holds a pilot certificate issued under § 61.75 need not surrender that U.S. pilot certificate. There have been isolated incidences where examiners have erroneously required a person to surrender the § 61.75 pilot certificate when applying for the standard U.S. pilot certificate. In this instance, it is permissible for a person to hold both a pilot certificate issued under § 61.75 and a standard U.S. pilot certificate.

(4) A person who holds a commercial pilot certificate that was issued under § 61.75 before August 4, 1997, may continue to hold that pilot certificate; however, any additional ratings applied for on or after August 4, 1997, shall be issued at the private pilot certification level only.

(5) Under § 61.75(c), for persons who apply for the addition of an aircraft rating to a § 61.75 pilot certificate with the notation "U.S. TEST PASSED."

(6) Under § 61.75(d), for persons who apply for an instrument rating to a § 61.75 pilot certificate by accomplishing the Instrument-Foreign Pilot knowledge test.

(7) Under § 61.65, for persons who apply for an instrument rating on a § 61.75 pilot certificate with the notation "U.S. TEST PASSED."

(8) Under § 61.123(h), for persons who apply for an unrestricted commercial pilot certificate on the basis of holding a § 61.75 pilot certificate.

(9) Under § 61.153(d)(3), for persons who hold either a foreign airline transport pilot license with the appropriate aircraft rating or a foreign commercial pilot license and an instrument rating with the appropriate aircraft rating without limitations, and who apply for a U.S. airline transport pilot certificate. Section 61.153(d)(3) permits a person who holds either a foreign airline transport pilot license with the appropriate aircraft rating or a foreign commercial pilot license and an instrument rating with the appropriate aircraft rating without limitations and issued by an ICAO member state, to apply for a U.S. airline transport pilot certificate with the appropriate aircraft rating by having accomplished the required aeronautical experience, passed the appropriate knowledge test, and passed the appropriate practical test.

(10) Under § 61.73(b)(3)(ii), a rated military pilot of an armed force of a foreign contracting State to the Convention on International Civil Aviation, assigned to pilot duties (other than flight training) with an Armed Force of the United States who holds, at the time of application, a current civil pilot license issued by that contracting State authorizing at least the privileges of the pilot certificate sought, may apply for:

- A commercial pilot certificate
- An aircraft rating in the category and class of aircraft for which that foreign military pilot is qualified
- An instrument rating with the appropriate aircraft rating for which that foreign military pilot is qualified
- A type rating, if appropriate

E. Pilot Certificate Requirements.

(1) Section 61.3(b) permits foreign registered aircraft to be operated within the United States by a pilot holding a valid foreign-pilot license issued by the foreign country where the aircraft is registered.

(2) Section 61.3(a) permits a U.S.-registered civil aircraft to be operated within a foreign country by a pilot holding a foreign-pilot license with the appropriate aircraft rating issued by that foreign country. A person who holds a U.S. pilot certificate with the appropriate aircraft rating may also operate a U.S.-registered civil aircraft in an ICAO member state country. However, persons who operate a U.S.-registered civil aircraft in an ICAO member state country must be aware that some countries may have additional operational and pilot certification requirements. Each pilot must inquire with the foreign CAA and familiarize themselves with that country's operational and pilot certification requirements before operating a U.S.-registered civil aircraft in that country.

(3) A person may not act as a required pilot crewmember of a U.S.-registered civil aircraft in the United States unless that person holds a U.S. pilot certificate with the appropriate aircraft ratings and privileges.

F. Knowledge Test Failures. A person who fails the Instrument-Foreign Pilot knowledge test will be required to receive additional training and receive an instructor endorsement in order to reapply for the Instrument-Foreign Pilot knowledge test, in accordance with § 61.49.

G. U.S. Pilot Certificates that May be Issued to a Person who Holds a Foreign-Pilot License.

(1) The kinds of U.S. pilot certificates that may be issued to a person who holds a foreign-pilot license in accordance with § 61.75 are:

(a) A private pilot certificate based on a valid foreign-pilot license that is at least equivalent to or higher than the U.S. private pilot certification level.

(b) A commercial pilot certificate that was issued before August 4, 1997, and was based on a foreign-pilot license at least equivalent to or higher than the U.S. commercial pilot certification level. After August 4, 1997, a person who applies for a pilot certificate on the basis of holding a foreign-pilot license may only be issued a private pilot certificate. After August 4, 1997, all aircraft ratings issued on a

U.S. pilot certificate shall only be issued at the private pilot certification level. The aircraft ratings on the foreign-pilot license must be at least equivalent to or higher than the U.S. private pilot certification level in order to be placed on the U.S. pilot certificate.

(c) A standard U.S. pilot certificate issued after the person has accomplished the required training, instructor endorsements and aeronautical experience, and passed the appropriate knowledge and practical test as required by the pilot certification requirements contained in part 61.

(d) A standard U.S. pilot certificate in accordance with § 61.39(c)(1).

(e) A standard U.S. commercial pilot certificate in accordance with § 61.73(b)(3)(ii).

(2) The holder of a foreign-pilot license (at least equivalent to or higher than the U.S. private pilot certification level) may hold both a § 61.75 pilot certificate and a standard U.S. pilot certificate at the same time, provided the § 61.75 pilot certificate was obtained before the pilot satisfied the part 61 pilot certification requirements.

(3) If the FAA is unable to determine if a person meets the appropriate pilot certification eligibility requirements for the U.S. pilot certificate or rating, the agency is not obligated to issue the pilot certificate and/or rating until the information can be properly determined.

H. Ratings Issued.

(1) A private pilot certificate issued on the basis of a foreign-pilot license (at least equivalent to or higher than the U.S. private pilot certification level) must bear the § 61.5 equivalent of the ratings on the foreign-pilot license. However, an instrument rating may only be issued if:

(a) The foreign-pilot license on which the certificate is based has instrument privileges on it; and

(b) The person passes the Instrument-Foreign Pilot knowledge test on 14 CFR part 91, subpart B, that relates to IFR operational procedures.

NOTE: The instrument rating is not issued at a certain pilot certification level because the instrument rating is merely a rating/operating privilege.

(2) In some cases, determining the equivalent rating may be difficult. Several foreign countries

categorize pilot ratings and limitations by horsepower or engine type. The FAA ASI (Operations) or AST should contact the Certification Branch, AFS-840, in the General Aviation and Commercial Division at (202) 267-8196 if in need of assistance. However, the limitation by horsepower or engine type is not required to be placed on the U.S. pilot certificate, because 14 CFR § 61.75(e)(3) requires the pilot to adhere to the limitations of his/her foreign-pilot license even when exercising the privileges of his/her U.S. pilot certificate.

(3) When a private pilot certificate is issued on the basis of a foreign-pilot license and the foreign-pilot license has instrument rating/privileges, in order for that person to receive instrument privileges on the U.S. pilot certificate, the person must pass either the Instrument-Foreign Pilot knowledge test or the standard instrument rating knowledge test, and the standard instrument rating practical test (see § 61.65).

NOTE: If the applicant's U.S. pilot certificate has not been issued with instrument privileges, then the issuing Flight Standards District Office (FSDO) will advise the applicant that he or she may not serve as a required pilot crewmember of a U.S.-registered aircraft under IFR when exercising the privileges of that U.S. pilot certificate. When the applicant passes the Instrument-Foreign Pilot knowledge test, instrument privileges will be granted on the U.S. pilot certificate. Passage of the Instrument-Foreign Pilot knowledge test does not qualify a person for the notation "U.S. TEST PASSED" for the instrument rating.

(4) To qualify for the notation "U.S. TEST PASSED" for the addition of an aircraft or instrument rating to a U.S. pilot certificate, the person must accomplish the appropriate aeronautical experience, pass the knowledge test (if applicable), and pass the practical test as required under part 61. Each rating added to the temporary U.S. pilot certificate will have the notation "U.S. TEST PASSED" following the rating to which the notation applies. The required aeronautical experience must be shown on FAA Form 8710-1, Airman Certificate and/or Rating Application. Do not indicate "U.S. TEST PASSED" on the temporary pilot certificate if only the Instrument-Foreign Pilot knowledge test was passed.

(5) When a type rating is shown on the U.S. pilot certificate (meaning a U.S. pilot certificate

that was issued on the basis of a foreign-pilot license), that aircraft type rating will be limited to "VFR ONLY" if the person has not passed either the Instrument-Foreign Pilot knowledge test or the standard instrument rating knowledge test and the standard instrument rating practical test (see 14 CFR § 61.65).

NOTE: Applicants who apply for a type rating with the notation "U.S. TEST PASSED" on their U.S. pilot certificate must have received the required training from a holder of an FAA Flight Instructor Certificate with the appropriate ratings (see § 61.63(d) or § 61.157(b), as appropriate). If the aircraft type rating is for an aircraft with a gross takeoff weight of greater than 12,500 pounds, the applicant must also complete a Department of Justice Flight Training Candidate Checks Program form before beginning training for that type rating. However, the requirements on the Department of Justice Flight Training Candidate Checks Program are subject to change, so contact the FAA's Certification Branch, Washington, D.C. at (202) 267-8196 for the most current requirements.

I. Medical Endorsement or Certificate. A person applying for a U.S. pilot certificate must submit evidence that he or she currently meets the medical standards for the foreign-pilot license on which the application for the pilot certificate is based (see § 61.75(f)). Some foreign CAAs enter periodic medical endorsements on their foreign-pilot licenses which affect its currency. Therefore, if the foreign-pilot license must have a medical endorsement to make it valid, an FAA medical certificate alone will not satisfy the regulations. In cases when a medical endorsement is not used, a current medical license from the person's foreign medical examiner or a current 14 CFR part 67 medical certificate will satisfy the requirement. If the person's foreign-pilot license shows a medical endorsement, the person should enter the word "endorsement" on FAA Form 8710-1, Section I, block R, or the equivalent class of medical certificate. If using Airman Certification and/or Rating Application (ACRA)/IACRA, enter the date of that endorsement in block S. If the name of the examiner who administered the medical endorsement is unknown to the applicant because the physical was administered by the foreign CAA, then simply state "CAA" in block T.

J. Duration. A § 61.75 pilot certificate issued on the basis of a foreign-pilot license remains in effect as long as the foreign-pilot license used to obtain the U.S. pilot certificate is valid.

NOTE: A prefix or suffix change in a foreign-pilot license does require the reissuance of a U.S. pilot certificate issued on the basis of a foreign-pilot license. Some examples of countries that issue prefixes and suffixes on their pilot licenses are Canada, Germany, and Great Britain. For example, on a foreign-pilot license issued by Great Britain, the prefix codes the grade level of the pilot license. In Germany, the suffix codes the grade level of the pilot license. In order for the U.S. pilot certificate to correctly identify the person's foreign-pilot license, if the person's foreign-pilot license has a change in its prefix/suffix code, the U.S. pilot certificate must be reissued to reflect the person's most current foreign-pilot license number.

K. Renewal. A § 61.75 pilot certificate issued on the basis of a foreign-pilot license before November 1, 1973, may be reissued at any time upon compliance with the appropriate requirements of § 61.75.

L. Flight Instructor Certificates. A flight instructor certificate or an additional rating on a flight instructor certificate may not be issued on the basis of any foreign flight instructor rating or certificate. A flight instructor certificate will only be issued to a person who meets the appropriate requirements of part 61, subpart H.

M. Added Ratings. If a person requests that a rating be added to his/her U.S. pilot certificate on the basis of meeting the appropriate pilot certification requirements of part 61 (i.e., the practical test and the knowledge test, if applicable), those requirements must be accomplished before the issuance of that additional rating. However, if the person requests the added rating on the basis of that rating having been added to his/her foreign-pilot license, no knowledge test or practical test is required.

N. Flying Clubs. A foreign-pilot license issued by a flying club under a specific delegation of the foreign CAA of an ICAO member state is acceptable for the issuance of a private pilot certificate under § 61.75. For example, several countries may delegate the authority to issue glider pilot certificates to members of their national gliding clubs.

O. British Territories. The British Territories listed in Figure 29-2 are authorized by the British Colonial Air Navigation Order of 1961, as amended. This order authorizes the territories to issue their own pilot licenses (not British National pilot licenses). British Territory pilot licenses usually bear the name of the territory where they were issued, and the territories are identified in the Colonial Air Navigation Order under the year of its most recent amendment. Pilot licenses issued by the British Territories are acceptable for the issuance of the U.S. pilot certificate on the basis of a person holding a foreign-pilot license.

P. JAR-FCL. Since July 1, 1999, some states that are members of the European Joint Aviation Authorities (JAA) have begun issuing pilot licenses entitled JAR-FCL (Joint Aviation Requirements-Flight Crew Licensing) licenses. These pilot licenses are based upon new licensing regulations developed by JAA-member states through the JAA and subsequently adopted by each JAA-member state. JAR-FCL pilot licenses do meet ICAO pilot licensing standards and these JAA-member states are also member states of ICAO.

(1) It is important to note that a JAR-FCL license will be issued by a state's CAA and not by the JAA itself.

(2) A listing of JAA-member states, as of the date of this chapter, is contained in Figure 29-3. Current listings of JAA-member states may be found at the JAA web site at <http://www.jaa.nl>.

(3) The individual JAA-member states are at varying levels of implementation of JAR-FCL regulations; some JAA-member states may still be issuing their own National pilot licenses. Further, National pilot licenses issued by a JAA-member state before a state's implementation of JAR-FCL may still be valid for use within that JAA-member state and thus acceptable for issuance of a U.S. pilot certificate on the basis of § 61.75, provided that such pilot licenses meet the appropriate FAA regulatory requirements for the pilot certificate being issued. Any questions concerning the JAR-FCL pilot license should be directed to the Flight Standards International Programs and Policy Office, AFS-50.

(4) The format for the JAA-FCL pilot license contains the information in Figure 29-5.

Q. British National Pilot Licenses. The United Kingdom (U.K.) issues both JAR-FCL pilot licenses, described above in paragraph O, and British National

pilot licenses. The section below describes British National pilot licenses or variations listed on the JAR-FCL pilot license.

(1) Both National pilot licenses and JAR-FCL pilot licenses issued by the British CAA are all printed on white background security paper, but the color of the cover follows the ICAO Annex 1 convention. Thus, Private Pilot License (PPL)(A) is light brown (tan), Commercial Pilot License (CPL)(A) blue, and Air Transport Pilot License (ATPL)(A) green. The British Commercial Pilot License (BCPL)(A) also has the same blue cover as the CPL(A) but has a different title. Helicopter pilot licenses are also variously colored with PPL(H) light gray, CPL(H) dark gray, and ATPL(H) white. A flight engineer license has a dark brown cover. The data contained on each British National pilot license is identified numerically. The roman numeral II describes the pilot license held.

NOTE: If a FSDO is asked to issue a U.S. pilot certificate on the basis of a British National pilot license and it is not possible to determine which privileges are applicable, the person will be required to provide the necessary information before completion of the pilot certification process.

(2) The British National CPL(A) and ATPL(A) issued before July 1, 1999, are the only British National issued commercial pilot license equivalent to both the U.S. and ICAO respective pilot certification requirements. A private pilot certificate with the appropriate ratings may be issued on the basis of a British National CPL(A). With the implementation of JAR-FCL in the U.K., the U.K. now issues a JAR-FCL CPL. Further, the U.K. now issues a JAR-FCL CPL(A) or (H) restricted to British-registered aircraft. This is an acceptable ICAO pilot license, but the holder must meet some British pilot licensing requirements rather than JAR-FCL pilot licensing requirements for issuance of the pilot license.

(3) When issuing a private pilot certificate that is based on a British CPL, a thorough examination of FAA Form 8710-1 must be made to determine the privileges and limitations on each pilot license. Those persons who hold a restricted or non-restricted basic British National CPL(A) are qualified for the issuance of a U.S. private pilot certificate because both the restricted and non-restricted basic British National CPL(A) licensing requirements meet or exceed the ICAO private pilot license standards. The restricted

British National CPL(A) is no longer issued in the U.K. but may still be in use.

(a) The restricted basic British National CPL(A) is limited to private pilot privileges only. The British National basic license was introduced to allow existing British flight instructors and assistant flight instructors holding only private pilot licenses to continue to instruct for remuneration without having to obtain a full British National CPL(A). The restricted British National CPL(A) requirements meet or exceed the ICAO private pilot license standards.

(b) The non-restricted basic British National CPL(A) was issued to pilots who wished to conduct flight instruction or other types of aerial work, except for public transport, for remuneration. This pilot license does not meet the requirements of a full-fledged British National CPL, a U.S. commercial pilot certificate, or ICAO pilot license standards. However, the British National CPL(A) requirement meets or exceeds the ICAO private pilot license standards.

(4) The British CAA may issue an instrument meteorological conditions (IMC) rating. Holders of the British IMC privilege are not qualified to receive a U.S. instrument rating because the IMC privilege is not as high a level of qualification as the instrument rating, and it confers no privileges for flights requiring compliance with IFR. IMC privileges can be used only within the U.K. Therefore, a holder of the IMC privilege is not eligible to take the Instrument-Foreign Pilot knowledge test or be issued a U.S. instrument rating.

(5) On August 1, 2002, the British CAA began issuing a British National PPL(A) for single-engine aeroplanes, motor gliders, and micro-light aircraft. This foreign-pilot license does not meet ICAO standards. It is the equivalent of the U.S. recreational license only and does not require an ICAO medical license, only a Declaration of Health signed by the holder's general practitioner.

(6) The British CAA issues JAR-FCL medical licenses for ATPL, CPL, and some PPL licenses. The British CAA issues a national medical license for commercial balloon pilot licenses and a declaration of health for its national PPL license, private level balloon license, and micro-lights. Both the JAR-FCL medical and the national medical licenses meet ICAO medical standards. The declaration of health does not meet ICAO medical standards. The duration period for the U.S. medical certificate is addressed in § 61.23. When a person is exercising the privileges of their

§ 61.75 pilot certificate, that person must comply with the appropriate medical certification requirements of § 61.23.

R. Other Known Differences of Some Foreign-Pilot Licenses and Ratings.

(1) The German glider pilot license requires a person to hold a medical license/endorsement when exercising the privileges of their German glider pilot license. That person must also comply with the German medical license/endorsement requirements when exercising the privileges of their § 61.75 pilot certificate for the glider rating (see § 61.75(e)(3)).

(2) Holders of a Spanish IMC privilege are not qualified to receive a U.S. instrument rating because the Spanish IMC privilege does not meet the certification standards and qualifications as a U.S. instrument rating and confers no privileges for flights requiring compliance with IFR. The Spanish IMC privilege is only authorized for use within Spain. Therefore, the holder of the Spanish IMC privilege is not eligible to take the Instrument-Foreign Pilot knowledge test or be issued a U.S. instrument rating.

(3) Belgium issues some private pilot licenses with the notation "RESTRICTED." This limitation restricts the person to Belgian airspace only. This pilot license parallels the U.S. recreational pilot certificate (i.e., the person has not met the cross-country aeronautical experience and training requirements of ICAO). Do not issue a § 61.75 private pilot certificate to a person who holds a Belgian private pilot license with the notation "RESTRICTED."

(4) Some foreign-pilot licenses contain a restriction that prohibits the person from operating an aircraft at night. As an example, some foreign CAAs require their citizens to hold an instrument rating and/or a night flying privilege in order to operate an aircraft at night. That person must also comply with that night operating restriction of their foreign-pilot license when exercising the privileges of their § 61.75 pilot certificate (see § 61.75(e)(3)). To clarify night flying restrictions: while the FAA may not remove the night flying restriction, it is permissible for a foreign pilot who receives a U.S. pilot certificate on the basis of their foreign-pilot license to accomplish the required night flying training (for the appropriate grade level of U.S. pilot certificate held) from a holder of an FAA Flight Instructor Certificate, and receive a solo endorsement to exercise NIGHT FLYING PRIVILEGES on their U.S. PILOT CERTIFICATE.

(5) Some foreign CAAs (i.e., New Zealand and Australia) issue private pilot licenses which limit the pilot to a specific make and model of aircraft or which limit the pilot from carrying any passengers. Those persons must also comply with the make and model aircraft and passenger carrying restriction of their foreign-pilot license when exercising the privileges of a § 61.75 pilot certificate (see § 61.75(e)(3)).

(6) Some foreign CAAs have issued pilot licenses that do not identify the grade of pilot license. In those instances, do not issue a U.S. pilot certificate. The holder of that kind of foreign-pilot license does not meet ICAO standards for pilot certification.

(7) Some foreign CAAs have issued pilot licenses which limit the person to second-in-command (SIC) privileges only. Do not issue a U.S. pilot certificate on the basis of that kind of foreign-pilot license. The holder of that license does not meet ICAO standards for pilot certification.

(8) Some foreign CAAs issue Micro-Light Aircraft pilot licenses. A Micro-Light Aircraft pilot license does not meet ICAO standards for pilot certification of a private pilot certificate. Do not issue a private pilot certificate to a person who holds a Micro-Light Aircraft pilot license.

(9) Mexico issues a type rating for each series of make and model of an aircraft. For example, they do not issue a DC-9 type rating that covers all the various series of DC-9. Mexico issues a specific rating, such as DC-9-15 or a Boeing 737-300. Therefore, when an ASI/examiner places a type rating on a U.S. pilot certificate based on a Mexican pilot license, he or she needs to specify the series as it appears on the Mexican license.

S. Initial Step in the Application Process with the FAA's Airmen Certification Branch, AFS-760. This process is new to the methodology of issuing a U.S. pilot certificate on the basis of a foreign-pilot license. FAA ASIs (Operations) and ASTs need to become familiar with this process in order to advise applicants of these new procedures.

(1) A person who is applying for a U.S. pilot certificate/rating on the basis of a foreign-pilot license must apply for verification of that pilot license at least 90 days before arriving at the designated FAA FSDO where the applicant intends to receive the U.S. pilot certificate. This initial application step is the responsibility of the applicant and not the FSDO. The FSDO may explain to the applicant how the entire

application process works. The FSDO does not accept the initial application documents, nor should the FSDO accept a completed FAA Form 8710-1 application until after the verification of authenticity has taken place with Airmen Certification Branch, AFS-760. The applicant may begin the application process in one of two ways.

(a) The applicant may submit the required information using the form developed by the AFS-760. The applicant may download the instructions for the initial application process and the optional verification of authenticity form from AFS-760's web site at: <http://registry.faa.gov/docs/verify61-75.pdf>.

(b) The applicant may submit a legible, hand-written or typewritten letter with the specific information shown in subparagraph (2) below. The letter should be mailed to the FAA's Airmen Certification Branch, AFS-760, PO Box 25082, Oklahoma City, OK 73125-0082. AFS-760's FAX number is (405) 954-9922. At this time, the preapplication documents cannot be sent electronically.

(2) The information submitted to AFS-760 by the applicant must include the following information and documentation:

- (a) The applicant's name and date of birth.
- (b) The certificate number and ratings on the foreign-pilot license.
- (c) The address where the person wishes AFS-760 to mail the verification of the authenticity letter.
- (d) The country of issuance of the person's foreign-pilot license.
- (e) The location of the FAA FSDO where the person intends to make application for his/her U.S. pilot certificate. Applicants will only be able to obtain their U.S. pilot certificate from the FSDO specified.
- (f) A statement that the applicant's foreign-pilot license is not under an order of suspension or revocation, or the statement on the Verification of Authenticity form.

NOTE: AFS-760 requests that a legible copy of the foreign-pilot license and medical license/certificate be included with all requests for verification of authenticity of the foreign-pilot license.

T. Duties and Responsibilities of AFS-760. AFS-760 is responsible for:

- (1) Verifying the authenticity of the applicant's foreign-pilot license and medical license with the foreign CAA.
- (2) Ensuring the applicant's foreign-pilot license and medical license have not been surrendered, suspended, revoked, or expired.
- (3) Issuing the Verification of Authenticity letter to the designated FSDO and a copy to the applicant. (The Verification of Authenticity letter expires 6 calendar months from the date month on the letter.)

U. Temporary Mailing Address. A temporary mailing address for delivery of the pilot certificate may be indicated on a separate statement attached to the preapplication letter. However, the address required for official record purposes as shown on FAA Form 8710-1 must represent the person's actual permanent residential street address, including apartment number, etc., when appropriate. An alternate mail delivery service address (commercial mail box provider, flight school, airport office, etc.) is not acceptable. A post office box or rural route number is not acceptable as a permanent residence on an application unless there are unavoidable circumstances that require such an address. A person residing on a rural route, in a boat or mobile (recreational) vehicle, or in some other manner that requires the use of a post office box or rural route number for an address, must attest to the circumstances by signing a statement on a separate sheet of paper. The information provided must include sufficient details to ensure identification of the geographical location of the person's residence. If necessary to positively identify the place of residence, the person will be required to provide a hand-drawn map that clearly shows the location of his/her residence. When the residence is a boat or other mobile vehicle, the registration number, tag number, etc., and dock or park location must be provided.

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SECTION 2. PROCEDURES

1. PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites. This task requires knowledge of the U.S. pilot certification requirements contained in part 61 and FAA policies and qualification as an FAA ASI (Operations) or an FAA AST.

B. Coordination. This task may require coordination with AFS-760 or the Certification and Flight Training Branch, AFS-840.

2. REFERENCES, FORMS, AND JOB AIDS.

A. References.

- Title 14 CFR parts 1, 61, 91, and 187
- PTRS Procedures Manual (PPM)

B. Forms.

- FAA Form 8000-36, Program Tracking and Reporting Subsystem Data Sheet
- FAA Form 8060-4, Temporary Pilot Certificate
- FAA Form 8710-1, Airman Certificate and/or Rating Application
- FAA Form 8060-5, Notice of Disapproval of Application

C. Job Aids.

- Sample letters and figures

3. PROCEDURES.

A. Applicant Arrives at the FSDO. Determine if the FSDO has received the Verification of Authenticity letter from AFS-760.

(1) If there is no Verification of Authenticity letter on file, advise the applicant of the preapplication process per section 1, paragraph 3S. Do not process Form 8710-1 at this time.

(2) If there is a Verification of Authenticity letter on file, proceed with the application process.

B. Application Process of Person with Verification of Authenticity Letter.

(1) Open PTRS.

(2) Verify that the authenticity letter is still valid (within 6 calendar months of date on letter).

(a) If the authenticity letter is still valid, review the applicant's FAA Form 8710-1.

(b) If the authenticity letter is no longer valid (more than 6 calendar months from the date month on the letter), advise the applicant that he or she must preapply again with AFS-760. Close PTRS.

C. Review the Completed FAA Form 8710-1.

(1) Ensure it is filled out accurately in ink and is legible. (The instructions for completing Form 8710-1 are attached to the application.)

(2) In Section I, Application Information, ensure that the applicant has checked "Private." If the applicant desires instrument privileges on the U.S. pilot certificate, ensure that the applicant has also checked "Instrument."

(3) Ensure that Section II, blocks A through V, have been completed.

(4) Ensure the foreign-pilot license information in block D accurately reflects the information on the foreign-pilot license.

(5) Ensure that Section III, Record of Pilot Time, has been completed except for ACRA/IACRA.

(6) Ensure that Sections IV and V have been completed.

(7) Have the applicant make corrections if any of the above items are not accurate or complete.

D. Verify that the applicant has the following documents with the completed Form 8710-1:

(1) The applicant's foreign-pilot license. A legible English transcription of a foreign-pilot license not in English is acceptable.

(2) Permanent home of record of the person. (Refer to section 1, paragraph 3U of this chapter).

(3) U.S. pilot certificate issued under § 61.75 (if for reissuance).

(4) Foreign medical endorsement/foreign medical license, as appropriate, or a part 67 medical certificate.

(5) Knowledge test results, if applicable.

(6) Verifiable and positive identification of the person, (e.g., driver's license, passport, or other

acceptable means of identification with a photograph and physical description).

(7) Attach a copy of the Verification of Authenticity letter issued by AFS-760.

E. Determine ICAO Member State Status.

(1) Note the country in Section II, block D1, of the Form 8710-1 application.

(2) Compare the country listed with Figure 29-1 to determine if the country is an ICAO member state. If there is any question about a country's status, check the listing of current ICAO member states located at <http://www.icao.int/icao/en/members.htm>

(a) If the country is not an ICAO member state, inform the applicant that the U.S. pilot certificate cannot be issued and return all submitted documents to the applicant. Close out PTRS.

(b) If the country is an ICAO member state, verify the applicant's identity.

F. Verify the Applicant's Identity.

(1) Establish the person's identity with some form of government-issued photo identification (driver's license, passport, etc.).

(2) Compare the identification with the information provided on Form 8710-1.

(a) If the person's identity cannot be verified because of lack of documentation or inadequate documentation, request that the person return with the appropriate identification.

(b) If the person's identity appears to be falsified, do not proceed. (See FAA Order 8700.1, volume 2, chapter 182.)

(3) Review the Verification of Authenticity letter sent to the applicant by AFS-760 and compare it to the information provided by the applicant on Form 8710-1. Although the instructions state the applicant must furnish the original Verification of Authenticity letter when making application for a U.S. pilot certificate/rating(s), a facsimile of the Verification of Authenticity letter from an FAA FSDO or from AFS-760 is considered an original Verification of Authenticity letter (see Figure 29-4).

G. Establish the Applicant's Eligibility.

(1) Review the applicant's foreign-pilot license for the following:

(a) Ensure the information on the foreign-pilot license is the same as the information provided in the person's identification and on the Form 8710-1, Section II(D).

(b) Ensure the applicant holds the ratings which he or she is applying for by comparing it to the ratings held on the foreign-pilot license.

(c) If the person is requesting an instrument rating, ensure that the applicant's foreign-pilot license authorizes instrument privileges that are equivalent to the U.S. instrument rating. If the applicant needs to take the Instrument-Foreign Pilot knowledge test, refer the applicant to a computer testing center and explain that he or she will have to reapply for the instrument privileges once that test has been passed.

(d) Verify that the applicant has passed the Instrument-Foreign Pilot knowledge test.

(e) Review the person's medical endorsement/certificate to determine if it is valid.

(2) If an applicant is not eligible for the U.S. pilot certificate and/or rating sought, or if a discrepancy exists in any of the items indicated above, return Form 8710-1 and any submitted documents to the person. Inform the person why he or she is not eligible and explain how to obtain the certificate and/or ratings sought. Close out PTRS.

(3) If a person is found not eligible for the U.S. pilot certificate because the person was unable to read, speak, write, or understand the English language, issue FAA Form 8060-5.

NOTE: Form 8060-5 needs to be issued so the failure is recorded and on file with AFS-760 in case the person reapplies for the U.S. pilot certificate at another FAA FSDO or with FAA representatives who are located in a U.S. Embassy overseas.

(4) If the applicant is eligible for the U.S. pilot certificate, issue the pilot certificate.

H. Issue the Private Pilot Certificate as Follows:

(1) Prepare FAA Form 8060-4 in duplicate, indicating the grade of pilot certificate in block IX.

(2) Enter the equivalent of the foreign-pilot license category, class, and type ratings (if applicable) in block XII (see § 61.5).

(3) If the person is eligible for instrument privileges, enter the appropriate instrument rating:

- (a) INSTRUMENT-AIRPLANE.
- (b) INSTRUMENT-HELICOPTER.
- (c) INSTRUMENT-POWERED LIFT.

(4) Enter "ISSUED ON THE BASIS OF AND VALID ONLY WHEN ACCOMPANIED BY [NAME OF COUNTRY] PILOT LICENSE NO. [NUMBER FROM FOREIGN-PILOT LICENSE]. ALL LIMITATIONS AND RESTRICTIONS ON THE [NAME OF COUNTRY] PILOT LICENSE APPLY" under the ratings in block XII.

(5) Enter the following operational limitations (when and if appropriate) in block XIII:

(a) "NOT AUTHORIZED TO ACT AS A PILOT-IN-COMMAND" if the person does not read, speak, write, and understand the English language because of medical reasons, as permitted under § 61.75(b)(5).

(b) For a U.S. § 61.75 commercial pilot certificate (except for the glider or lighter-than-air ratings) that was issued before August 4, 1997, continue to enter "NOT VALID FOR THE CARRIAGE OF PERSONS OR PROPERTY FOR COMPENSATION OR HIRE OR FOR AGRICULTURAL AIRCRAFT OPERATIONS."

(c) Enter the limitation "VFR ONLY" following any type rating if the person has not passed either the Instrument-Foreign Pilot knowledge test or the Standard Instrument Rating knowledge test and the Standard Instrument Rating practical test (see 14 CFR § 61.65).

(6) Sign, and have the applicant sign, the original and duplicate copy of FAA Form 8060-4 in ink.

(7) Issue the duplicate copy to the applicant.

(8) Inform the applicant that a permanent certificate will be sent to the permanent address. If the applicant wants the certificate to be mailed to a different mailing address, have the applicant complete a written request containing the mailing address. Attach the request to FAA Form 8710-1.

(9) Return any submitted documents not needed for the certification package.

I. Advise the applicant about the rules and requirements contained in 14 CFR part 61,

Certification: Pilot, flight instructors, and ground instructors; and in 14 CFR part 91, General Operating and Flight Rules (flight review requirements, recency of experience requirements, required logbook entries, etc.). As a point of emphasis, make clear to the applicant that a flight review (see § 61.56) must be administered by the holder of an FAA Flight Instructor Certificate with the appropriate ratings before he/she may exercise the privileges of his/her U.S. pilot certificate. The proficiency checks administered by a foreign flight instructor do not count as meeting the flight review requirements of § 61.56.

J. Complete the Certification File as Follows:

(1) Complete the Aviation Safety Inspector or Technician Report section on the reverse side of FAA Form 8710-1.

(2) Check the following boxes, as applicable:

(a) Approved or Disapproved.

(b) Certificate or Rating Based on a Foreign-Pilot License.

(3) Date and sign Form 8710-1, enter the ASI's pilot certificate number or show AST after the AST's signature, and enter the FAA FSDO identifier.

(4) Check the applicable boxes in the Attachments section.

(5) Complete the Airman's Identification (ID) area of Form 8710-1.

(6) Attach the appropriate documents to Form 8710-1, including the Verification of Authenticity letter.

(7) Forward the completed pilot certification file to AFS-760.

K. Close PTRS.

4. TASK OUTCOMES. Completion of this task could result in the issuance of:

A. Temporary U.S. Pilot Certificate.

B. FAA Form 8060-5.

5. FUTURE ACTIVITIES.

A. Issue the applicant another grade of certificate or additional category, class, or type ratings.

B. Process an enforcement investigation if the application was falsified.

6. QUESTIONS AND ANSWERS ABOUT THE APPLICATION PROCESS:

Question 1: In § 61.75(a), it states, “A person who holds a current foreign-pilot license issued by a contracting State to the Convention on International Civil Aviation may apply . . .” In § 61.75(b), it states, “A person who holds a current foreign-pilot license issued by a contracting State to the Convention on International Civil Aviation may be issued . . .” Therefore, does the person’s foreign-pilot license have to be “current” before that person may be issued our U.S. pilot certificate? What does the term “current” mean in reference to the phrase “. . . a current foreign-pilot license . . .?”

Answer 1: This is a problem because the FAA has not defined what the term “current” means as it relates to a foreign-pilot license. When AFS-760 obtains a verification of authenticity from a foreign CAA, it is only verifying the applicant’s foreign-pilot license number, the level of pilot license and ratings held, the level of the foreign medical license held, and that the applicant’s pilot license and medical license have not been surrendered, suspended, revoked, or expired. Otherwise, the verification of authenticity is to ensure the applicant’s foreign-pilot license and medical license is “valid.”

The term “current” in existing § 61.75(a) and (b) as it relates to a foreign-pilot license is really intended to mean that the applicant’s foreign-pilot license and medical license have not been surrendered, suspended, revoked, or expired, and that AFS-760 has issued the applicant a Verification of Authenticity letter as a result. Therefore, if the applicant and the FSDO have identical copies of the Verification of Authenticity letter from AFS-760 that indicate the applicant’s foreign-pilot license and medical license have been verified and are valid, that will meet the requirements of § 61.75(a) and (b).

Question 2: Is it permissible to issue our U.S. pilot certificate on the basis of the person’s foreign-pilot license by permitting the applicant to use a current FAA medical certificate if the applicant’s foreign medical license has expired?

Answer 2: If the verification from the foreign CAA states that the foreign-pilot license is valid but the foreign medical license has expired, then in accordance with § 61.75(b)(4), it is permissible to accept the FAA medical certificate as meeting the requirement for a current medical certificate. If the

foreign CAA specifically states ON THE FOREIGN-PILOT LICENSE that the foreign-pilot license is not valid because the medical endorsement/license has expired, then a U.S. pilot certificate may not be issued to the applicant.

Question 3: Does a person who gets issued a U.S. private pilot certificate that was based on a foreign private pilot or higher license level have to comply with the flight review and recency of experience requirements of 14 CFR part 61 before exercising the privileges of his/her U.S. private pilot certificate? If the person accomplished a flight review in his/her foreign country with a foreign flight instructor or a foreign-pilot examiner, will that suffice for the 14 CFR § 61.56(c) flight review?

Answer 3: Before a person exercises the privileges of a U.S. pilot certificate, that person must be in compliance with the appropriate pilot certification requirements of 14 CFR part 61 (flight review requirements, recency of experience requirements, required logbook entries, etc.). The flight review must have been administered by the holder of an FAA Flight Instructor Certificate with the appropriate ratings before the pilot may exercise the privileges of his/her U.S. pilot certificate. A flight review/proficiency check that was administered by a foreign flight instructor or a foreign pilot examiner does not count as meeting the flight review requirements of § 61.56(c). (Ref. § 61.56(c)(1) and § 61.41(b).)

Question 4: What will be the procedure if AFS-760 is unable to obtain verification from the country that issued the foreign-pilot license?

Answer 4: All verifications must be furnished to AFS-760 by the foreign CAA that issued the foreign-pilot license. A U.S. pilot certificate will not be issued even if a person furnishes verification from the foreign CAA with its letterhead to an FAA FSDO.

Question 5: Will AFS-760 routinely inform the person if verification from the foreign CAA cannot be obtained within 90 days?

Answer 5: No. AFS-760 does not have the staffing resources available to respond to each person. If a person inquires, then AFS-760 will respond.

Question 6: Must the verification request form have the foreign person’s signature?

Answer 6: Yes. The Verification of Authenticity form has a block for the person’s signature that states

“I hereby authorize the issuing CAA to provide all pertinent information to the FAA. Signature of the Applicant.” The foreign person’s signature is required because some foreign CAAs have instructed AFS-760 that they must have the person’s signature in order to release verification information.

Question 7: Can a person FAX the Verification of Authenticity form for requesting issuance of a U.S. pilot certificate, a copy of his/her foreign-pilot license, and an English transcription of that license (if the license is not written in English) to AFS-760?

Answer 7: Yes, a FAX request will be acceptable.

Question 8: How would the applicant request a change of locations of the FAA FSDO where he/she intends to make application for his/her U.S. pilot certificate?

Answer 8: By sending a FAX or a letter to AFS-760, P.O. Box 25082, Oklahoma City, OK 73125. AFS-760’s FAX number is (405) 954-9922. AFS-760 will then send the applicant’s Verification of Authenticity letter to the newly designated FSDO.

Question 9: In § 61.73(b)(3)(ii), it provides for a rated military pilot of an armed force of a foreign contracting State to the Convention on International Civil Aviation, assigned to pilot duties (other than flight training) with an Armed Force of the United States to be issued a U.S. commercial pilot certificate with the associated aircraft/instrument rating. Do these foreign military pilots have to go through the verification of authenticity process outlined in this chapter?

Answer 9: Yes. The rule that governs the issuance of a U.S. pilot certificate to a rated military pilot as described above is 14 CFR § 61.73(b)(3)(ii).

Question 10: Do the procedures set forth in this chapter apply to persons who are not applying for a U.S. pilot certificate/rating(s) on the basis of their foreign-pilot license?

Answer 10: No. A person who is applying for a U.S. pilot certificate/rating(s) on the basis of meeting the appropriate part 61 certification requirements and is not using their foreign-pilot license as the basis for the application need not comply with the procedures set forth in this chapter. However, this answer may be subject to change in the future because the Transportation Security Administration often requires the FAA to make changes on the basis of National

security. At this time there are several proposals under consideration that may require the FAA to change its application and certification process for non-U.S. citizens. Since September 11, 2001, policies and procedures have been revised and may continue to be revised in the interest of National security. If changes are made, AFS-840 is the office responsible for notifying you.

Question 11: How does an applicant comply with the procedures set forth in this chapter if the person intends to accomplish the practical test with a designated pilot examiner? The person is applying for the U.S. pilot certificate/rating(s) on the basis of their foreign-pilot license.

Answer 11: The applicant will still be required to initiate the application process with AFS-760, P.O. Box 25082, Oklahoma City, OK 73125-0082 (see section 1, paragraph 3S). AFS-760 will still send the Verification of Authenticity letter to the Flight Standards District Office that the applicant designated when he/she initiated the application process with AFS-760 (see section 1, paragraph 3T of this chapter).

If the applicant goes to an examiner outside the designated FSDO’s area of jurisdiction, this will require the examiner and the designated FSDO to communicate with one another before conducting the practical test. The process will be more efficient if the applicant uses an examiner who resides in the designated FSDO’s area of jurisdiction.

The examiner will ensure the applicant is in possession of the Verification of Authenticity letter before beginning the practical test/certification procedure. The applicant’s Verification of Authenticity letter may be an original or a facsimile of the verification of authenticity letter that was received from an FAA FSDO or from AFS-760. The examiner will administer the practical test/certification procedure, and will complete FAA Form 8710-1 in the area noted as the “Designated Examiner or Airman Certification Representative Report” or “Evaluator’s Record (Use for ATP Certificate and/or Type Ratings),” as appropriate, and the Temporary Airman Certificate, FAA Form 8060-4. The designated pilot examiner will give a copy of Form 8060-4 to the applicant and forward the completed Form 8710-1, the original Form 8060-4, and the applicant’s Verification of Authenticity letter to the designated FSDO. Pilot Examiners using the ACRA program can mail application packages directly to AFS-760.

After the designated FSDO completes the area noted as “Aviation Safety Inspector or Technician Report” on Form 8710-1 and completes the procedures set forth in section 1, paragraph 4, the application package will be mailed to AFS-760 for issuance of the permanent certificate.

NOTE: Although the instructions in this chapter state the applicant must furnish the original Verification of Authenticity letter when making application for a U.S. pilot certificate/rating(s), a facsimile of the Verification of Authenticity letter from an FAA FSDO or from AFS-760 is considered an original Verification of Authenticity letter (see Figure 29-4).

Question 12: Can examiners who were authorized to issue the § 61.75 private pilot certificate/rating before the issuance of this chapter once again begin to issue the § 61.75 private pilot certificate/rating(s)?

Answer 12: Yes. (Refer to paragraph 3 of Answer 11).

Question 13: An applicant initiates the application process with AFS-760 for a § 61.75 Private Pilot Certificate for an Airplane Single-Engine Land rating. The applicant receives the Verification of Authenticity letter from AFS-760 and the date on the letter is September 1, 2002. The letter expires after 6 calendar months (i.e., at 12:00:01 a.m. on March 1, 2003). During the time the applicant was waiting to receive the Verification of Authenticity letter from AFS-760, the applicant earned an Instrument – Airplane rating on the applicant’s foreign-pilot license. The applicant receives the § 61.75 Private Pilot Certificate on September 1, 2002. Can the applicant use that same Verification of Authenticity letter, dated September 1, 2002, to apply for the Instrument – Airplane rating on the § 61.75 Private Pilot Certificate, provided the applicant applies for the added Instrument – Airplane rating on or before 11:59:59 p.m. on February 28, 2003?

Answer 13: Yes. However, because the original verification may not have shown Instrument – Airplane rating on the foreign-pilot license, the applicant’s verification letter must show the holding of an Instrument – Airplane rating on the applicant’s foreign-pilot license.

Question 14: An applicant initiates the application process with AFS-760 for a § 61.75 Private Pilot

Certificate for an Airplane Single-Engine Land rating. The applicant receives the Verification of Authenticity letter from AFS-760 and the date on the letter is September 1, 2002. The letter expires after 6 calendar months (i.e., 12:00:01 a.m. on March 1, 2003). During the time the applicant was waiting to receive the Verification of Authenticity letter from AFS-760, the applicant earned an Instrument – Airplane rating on the applicant’s foreign-pilot license. The applicant wants to receive the § 61.75 Private Pilot Certificate on October 1, 2002, and then come back on or before 12:00:01 a.m. on March 1, 2003, to take the Instrument-Foreign Pilot knowledge test and apply for the Instrument – Airplane rating to be added to the applicant’s § 61.75 Private Pilot Certificate. Can the applicant use the Verification of Authenticity letter, dated September 1, 2002, to also apply for adding the Instrument – Airplane rating on the § 61.75 Private Pilot Certificate even though the application will be done 30 days after the applicant’s § 61.75 Private Pilot Certificate was received?

Answer 14: Yes, the applicant may use the same Verification of Authenticity letter to also apply for the Instrument – Airplane rating on the applicant’s § 61.75 Private Pilot Certificate. If the applicant arrives at the designated FSDO on or before 11:59:59 p.m. on February 28, 2003, and starts the process for adding the Instrument – Airplane rating, the person will have met the 6 calendar-month time limit even if the paperwork doesn’t get sent to AFS-760 until days later. However, because the original verification may not have shown Instrument – Airplane rating on the foreign-pilot license, the applicant’s verification letter must show holding an Instrument – Airplane rating on the applicant’s foreign-pilot license.

Question 15: An applicant holds a § 61.75 Private Pilot Certificate and an Instrument - Airplane (U.S. Test Passed) on that certificate. The applicant does not want to wait the amount of time it takes to complete the verification check and elects to complete the entire certification process for an unrestricted U.S. Private Pilot Certificate because the applicant is ultimately seeking to apply for a U.S. Commercial Pilot Certificate. The applicant continues on with the training and certification for a U.S. Commercial Pilot Certificate. The applicant applies for the U.S. Commercial Pilot Certificate on the basis of the applicant’s unrestricted U.S. Private Pilot Certificate. Can the applicant have the Instrument - Airplane (U.S. Test Passed) transferred over to the U.S. Commercial Pilot Certificate without being required to comply with

the procedures set forth in this chapter?

Answer 15: Yes.

Question 16: What do you do if the applicant holds dual citizenship and one passport shows the name's ethnic spelling one way and the other passport shows a different ethnic spelling?

Answer 16: When an unusual situation such as this comes up, you need to ask for guidance because the information in this Order cannot cover every possible situation. First, ask your supervisor. If your supervisor does not know the answer, AFS-760 is the responsible Flight Standards Service office for administering the verification of authenticity process for foreign pilots. AFS-840 is the responsible Flight Standards Service office for pilot certification issues.

Question 17: Is a person who holds a § 61.75 restricted U.S. Commercial Pilot Certificate that was issued before August 4, 1997, eligible to make application for a CFI certificate on the basis of holding a Commercial Pilot Certificate as provided for in 14 CFR § 61.183(c)? The scenario is a foreign pilot

that holds a § 61.75 U.S. restricted Commercial Pilot Certificate (i.e., that was issued on the basis of that person's foreign Commercial Pilot License) that was issued before August 4, 1997 (the date the new Part 61 became effective).

Answer 17: No, a person who holds a § 61.75 restricted U.S. Commercial Pilot Certificate is not eligible to make application for a flight instructor certificate on the basis of that § 61.75 restricted U.S. Commercial Pilot Certificate. When that § 61.75 U.S. restricted Commercial Pilot Certificate was issued, the old 14 CFR § 61.75(i) specifically stated: "A pilot certificate issued under this section does not satisfy any of the requirements of this part for the issuance of a flight instructor certificate." FAA's Office of Chief Counsel, AGC-240, and AFS-840 determined that those 14 CFR § 61.75 U.S. restricted Commercial Pilot Certificates were issued with a specific restriction against allowing them to be used for applying for a U.S. flight instructor certificate. Therefore, an applicant cannot use it to apply for a U.S. flight instructor certificate. (Ref. 14 CFR § 61.183(c).)

FIGURE 29-1 ICAO MEMBER STATES

The most current listing of ICAO member states may always be found on the Internet at:

<http://www.icao.int/icao/en/members.htm>. Country names are presented in English (bold face type), French, and Spanish.

Afghanistan /Afghanistan/Afganistán	Cyprus /Chypre/Chipre
Albania /Albanie/Albania	Czech Republic /République tchèque/República Checa
Algeria /Algérie/Argelia	Democratic People's Republic of Korea /République populaire démocratique de Corée/República Popular Democrática de Corea
Andorra /Andorre/Andorra	Democratic Republic of the Congo /République démocratique du Congo/República Democrática del Congo
Angola /Angola/Angola	Denmark /Danemark/Dinamarca
Antigua and Barbuda /Antigua-et-Barbuda/Antigua y Barbuda	Djibouti /Djibouti/Djibouti
Argentina /Argentine/Argentina	Dominican Republic /République dominicaine/República Dominicana
Armenia /Arménie/Armenia	Ecuador /Équateur/Ecuador
Australia /Australie/Australia	Egypt /Égypte/Egipto
Austria /Autriche/Austria	El Salvador /El Salvador/El Salvador
Azerbaijan /Azerbaïdjan/Azerbaïyán	Equatorial Guinea /Guinée équatoriale/Guinea Ecuatorial
Bahamas /Bahamas/Bahamas	Eritrea /Érythrée/Eritrea
Bahrain /Bahreïn/Bahrein	Estonia /Estonie/Estonia
Bangladesh /Bangladesh/Bangladesh	Ethiopia /Éthiopie/Etiopía
Barbados /Barbade/Barbados	Fiji /Fidji/Fiji
Belarus /Bélarus/Belarus	Finland /Finlande/Finlandia
Belgium /Belgique/Bélgica	France /France/Francia
Belize /Belize/Belize	Gabon /Gabon/Gabón
Benin /Bénin/Benin	Gambia /Gambie/Gambia
Bhutan /Bhoutan/Bhután	Georgia /Géorgie/Georgia
Bolivia /Bolivie/Bolivia	Germany /Allemagne/Alemania
Bosnia and Herzegovina /Bosnie-Herzégovine/Bosnia y Herzegovina	Ghana /Ghana/Ghana
Botswana /Botswana/Botswana	Greece /Grèce/Grecia
Brazil /Brésil/Brasil	Grenada /Grenade/Granada
Brunei Darussalam /Brunéi Darussalam/Brunei Darussalam	Guatemala /Guatemala/Guatemala
Bulgaria /Bulgarie/Bulgaria	Guinea /Guinée/Guinea
Burkina Faso /Burkina Faso/Burkina Faso	Guinea-Bissau /Guinée-Bissau/Guinea-Bissau
Burundi /Burundi/Burundi	Guyana /Guyana/Guyana
Cambodia /Cambodge/Camboya	Haiti /Haïti/Haití
Cameroon /Cameroun/Camerún	Honduras /Honduras/Honduras
Canada /Canada/Canadá	Hungary /Hongrie/Hungria
Cape Verde /Cap-Vert/Cabo Verde	Iceland /Islande/Islandia
Central African Republic /République centrafricaine/República Centrafricana	India /Inde/India
Chad /Tchad/Chad	Indonesia /Indonésie/Indonesia
Chile /Chili/Chile	Iran (Islamic Republic of) /Iran (République islamique d')/Irán (República Islámica del)
China /Chine/China	Iraq /Iraq/Iraq
Colombia /Colombie/Colombia	Ireland /Irlande/Irlanda
Comoros /Comores/Comoras	Israel /Israël/Israel
Congo /Congo/Congo	Italy /Italie/Italia
Cook Islands /Îles Cook/Isas Cook	Jamaica /Jamaïque/Jamaica
Costa Rica /Costa Rica/Costa Rica	Japan /Japon/Japón
Côte d'Ivoire /Côte d'Ivoire/Côte d'Ivoire	
Croatia /Croatie/Croacia	
Cuba /Cuba/Cuba	

FIGURE 29-1
ICAO MEMBER STATES—Continued

Jordan /Jordanie/Jordania	Philippines /Philippines/Filipinas
Kazakhstan /Kazakhstan/Kazajstán	Poland /Pologne/Polonia
Kenya /Kenya/Kenya	Portugal /Portugal/Portugal
Kiribati /Kiribati/Kiribati	Qatar /Qatar/Qatar
Kuwait /Koweït/Kuwait	Republic of Korea /République de Corée/República de Corea
Kyrgyzstan /Kirghizistan/Kirguistán	Republic of Moldova /République de Moldova/República de Moldova
Lao People's Democratic Republic /République démocratique populaire lao/República Democrática Popular Lao	Romania /Roumanie/Rumania
Latvia /Lettonie/Letonia	Russian Federation /Fédération de Russie/Federación de Rusia
Lebanon /Liban/Líbano	Rwanda /Rwanda/Rwanda
Lesotho /Lesotho/Lesotho	Saint Kitts and Nevis /Saint-Kitts-et-Nevis/Saint Kitts y Nevis
Liberia /Libéria/Liberia	Saint Lucia /Sainte-Lucie/Santa Lucía
Libyan Arab Jamahiriya /Jamahiriya arabe libyenne/Jamahiriya Árabe Libia	Saint Vincent and the Grenadines /Saint-Vincent-et-les Grenadines/San Vicente y las Granadinas
Lithuania /Lituanie/Lituania	Samoa /Samoa/Samoa
Luxembourg /Luxembourg/Luxemburgo	San Marino /Saint-Marin/San Marino Sao Tome and Principe/Sao Tomé-et-Principe/Santo Tomé y Príncipe
Madagascar /Madagascar/Madagascar	Saudi Arabia /Arabie saoudite/Arabia Saudita
Malawi /Malawi/Malawi	Senegal /Sénégal/Senegal
Malaysia /Malaisie/Malasia	Seychelles /Seychelles/Seychelles
Maldives /Maldives/Maldivas	Sierra Leone /Sierra Leone/Sierra Leona
Mali /Mali/Mali	Singapore /Singapour/Singapur
Malta /Malte/Malta	Slovakia /Slovaquie/Eslovaquia
Marshall Islands /Îles Marshall/Islas Marshall	Slovenia /Slovénie/Eslovenia
Mauritania /Mauritanie/Mauritania	Solomon Islands /Îles Salomon/Islas Salomón
Mauritius /Maurice/Mauricio	Somalia /Somalie/Somalia
Mexico /Mexique/México	South Africa /Afrique du Sud/Sudáfrica
Micronesia (Federated States of) /Micronésie (États fédérés de)/Micronesia (Estados Federados de)	Spain /Espagne/España
Monaco /Monaco/Mónaco	Sri Lanka /Sri Lanka/Sri Lanka
Mongolia /Mongolie/Mongolia	Sudan /Soudan/Sudán
Morocco /Maroc/Marruecos	Suriname /Suriname/Suriname
Mozambique /Mozambique/Mozambique	Swaziland /Swaziland/Swazilandia
Myanmar /Myanmar/Myanmar	Sweden /Suède/Suecia
Namibia /Namibie/Namibia	Switzerland /Suisse/Suiza
Nauru /Nauru/Nauru	Syrian Arab Republic /République arabe syrienne/República Árabe Siria
Nepal /Népal/Nepal	Tajikistan /Tadjikistan/Tayikistán
Netherlands /Pays-Bas/Países Bajos	Thailand /Thaïlande/Tailandia
New Zealand /Nouvelle-Zélande/Nueva Zelandia	The former Yugoslav Republic of Macedonia /L'ex-République yougoslave de Macédoine/ La ex República Yugoslava de Macedonia
Nicaragua /Nicaragua/Nicaragua	Togo /Togo/Togo
Niger /Niger/Niger	Tonga /Tonga/Tonga
Nigeria /Nigéria/Nigeria	Trinidad and Tobago /Trinité-et-Tobago/Trinidad y Tabago
Norway /Norvège/Noruega	Tunisia /Tunisie/Túnez
Oman /Oman/Omán	Turkey /Turquie/Turquía
Pakistan /Pakistan/Pakistán	
Palau /Palaos/Palau	
Panama /Panama/Panamá	
Papua New Guinea /Papouasie-Nouvelle-Guinée/Papua Nueva Guinea	
Paraguay /Paraguay/Paraguay	
Peru /Pérou/Perú	

FIGURE 29-1
ICAO MEMBER STATES—Continued

Turkmenistan /Turkménistan/Turkmenistán	Uruguay /Uruguay/Uruguay
Uganda /Ouganda/Uganda	Uzbekistan /Ouzbékistan/Uzbekistán
Ukraine /Ukraine/Ucrania	Vanuatu /Vanuatu/Vanuatu
United Arab Emirates /Émirats arabes unis/Emiratos Árabes Unidos	Venezuela /Venezuela/Venezuela
United Kingdom /Royaume-Uni/Reino Unido	Viet Nam /Viet Nam/Viet Nam
United Republic of Tanzania /République-Unie de Tanzanie/República Unida de Tanzania	Yemen /Yémen/Yemen
United States /États-Unis/Estados Unidos	Yugoslavia /Yougoslavie/Yugoslavia
	Zambia /Zambie/Zambia
	Zimbabwe /Zimbabwe/Zimbabwe

FIGURE 29-2
BRITISH TERRITORIES

The currency of the British Territories listing may be verified with the U.K. CAA.

Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
Cayman Islands
Falkland Islands
Montserrat
Pitcairn, Henderson, Ducie, and Oeno Islands
St. Helena
St. Helena Dependencies (Tristan da Cunha and Ascension Island)
South Georgia and the South Sandwich Islands
Sovereign Base Areas of Akrotire and Dhekelia
Turks and Caicos Islands
Virgin Islands

FIGURE 29-3
JAA-MEMBER STATES

The most current listing of JAA-member states may be found at <http://www.jaa.nl>.

Austria	Malta
Belgium	Monaco
Bulgaria*	Netherlands
Croatia*	Norway
Cyprus*	Poland*
Czech Republic	Portugal
Denmark	Republic of Moldova*
Estonia*	Romania
Finland	Slovak Republic*
France	Slovenia
Germany	Spain
Greece	Spain
Hungary	Sweden
Iceland	Switzerland
Ireland	The Former Yugoslav Republic of Macedonia*
Italy	Turkey
Latvia*	Ukraine*
Luxembourg	United Kingdom

*A candidate member state to the JAA. JAA considers candidate members to be part of the JAA system.

FIGURE 29-4
VERIFICATION OF AUTHENTICITY FORM AND INSTRUCTIONS

Verification of Authenticity of Foreign-pilot license, Rating, and Medical Certification. The application form can be download at: <http://registry.faa.gov/>

NOTE: This form is not displayed in this chapter. This form is subject to revision, so the most current version of this form may be downloaded at the above Web site.

Instructions for completing the form (instructions attached to the application form can also be downloaded at: <http://registry.faa.gov/>

NOTE: The instructions for completing the form are not included in this chapter. Since this form is subject to revision, the most current version of the instructions for completing the form may be downloaded at the above Web site.

FIGURE 29-5
SAMPLE FORMAT FOR JAA-FCL INFORMATION

Authority name and logo

(English and National Language)

JOINT AVIATION AUTHORITIES

(English Only)

FLIGHT CREW LICENSE

(English and National Language)

Issued in accordance with ICAO [and JAR-FCL] standards

(English and National Language)

Requirements

Size of each page shall be not less than one eighth A4

I	State of issue
III	License number
IV	Last and first name of holder
XIV	Date (see instructions) and Place of birth
V	Address Street, town, area, zip code
VI	Nationality
VII	Signature of holder
VIII	Issuing Authority e.g., This CPL(A) has been issued on the basis of an ATPL issued by (non-JAA State)
X	Signature of issuing officer and date
XI	Seal or stamp of issuing Authority

Requirements

License number will always commence with the U.N.
country code of the State of license issue.

Standard date format is to be used; i.e, day/month/year in
full (e.g., 21/01/1995)

See JAR-FCL 1.070

FIGURE 29-5
SAMPLE FORMAT FOR JAA-FCL INFORMATION—Continued

[illegible]

FIGURE 29-5
SAMPLE FORMAT FOR JAA-FCL INFORMATION—Continued

Rating	Date of test	Valid until	Examiner's authorization no.	Examiner's signature

*(Each page will contain 10 spaces
for initial issue and revalidation
of ratings)*

FIGURE 29-5
SAMPLE FORMAT FOR JAA-FCL INFORMATION—Continued

Abbreviations used in this license	

[e.g., *ATPL (Airline Transport Pilot License)*, *CPL (Commercial Pilot License)*, *IR (Instrument rating)*, *R/T (Radio Telephony)*, *MEP (Multi-engine piston aeroplanes)*, *FI (Flight Instructor)*, *TRE (Type Rating Examiner)*, etc...]

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